

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES D. LEWIS,

Petitioner/Plaintiff,

v.

FACEBOOK INC., et al.,

Respondents/Defendants.

Case No. [20-cv-07852-VC](#) (PR)

**ORDER DENYING PETITION FOR
TEMPORARY RESTRAINING
ORDER; DISMISSING CASE WITH
PREJUDICE**

Re: Dkt. No. 1

Petitioner/Plaintiff James D. Lewis aka James Obama, a prisoner at the Dixon Correctional Center in Dixon, Illinois, has filed a document entitled, “Petition for Temporary Restraining Order against Facebook, Mark Zuckerberg, Federal Communications Commission, and the United States of America.” In his petition, he identifies himself as “King/President,” and seeks “to seize Facebook, Inc. business operations until the enclosed matters are addressed . . . for 60 days,” when he would be filing a complaint against Facebook, Inc. He also requests “all shareholders be reimbursed by Mark Zuckerberg within them [sic] 60 days for any out-of-pocket losses for doing business with him . . .” In an attached affidavit, he states, “I above person has filled out this temporary restraining order to be best of my ability and exhibits gives the heavenly father-founder and James D. Lewis a.k.a. James Obama primary and secondary authority over Facebook, Inc. This makes Mark Zuckerberg a third party defendant/respondent to Facebook, Inc.; FCC is a trade union to U.S.A. And this is a letters patent-Facebook toward the king empire and etc.”

He also attaches an unfiled State of Illinois complaint, entitled “Global Development Communications c/o James D. Lewis a.k.a James Obama and James Obama Entertainment v.

Federal Communications Commission, State of Illinois and the Securities and Exchange Commission.” In the complaint, Lewis states he would like to auction off Facebook to the United States and the State of Illinois “for an undisclosed price and put the Facebook name in government vault and etc. under public domain.” [sic]

The Clerk of the Court filed this document as a habeas petition, but because it has nothing to do with Lewis’s criminal judgment or incarceration, it is not a habeas petition. Nor is it a civil rights complaint because Lewis does not allege any of the defendants violated his constitutional rights. It is more correctly filed as a miscellaneous case.

In any event, this case must be dismissed because it is frivolous and fails to state a claim. *See* 28 U.S.C. § 1915A(a) (federal court must screen any case in which a prisoner seeks redress from a governmental entity, or officer or employee of a governmental entity, to dismiss any claims that: (1) are frivolous or malicious; (2) fail to state a claim upon which relief may be granted; or (3) seek monetary relief from a defendant who is immune from such relief). Dismissal is with prejudice because amendment would be futile.

The Clerk is directed to issue a separate judgment and close this case.

IT IS SO ORDERED.

Dated: November 27, 2020



VINCE CHHABRIA
United States District Judge